

## **Remarks**

### **A. Pending Claims**

Claims 1-96 are pending. Claims 1, 2, 9-11, 14, 15, 17, 18, 21-37, 44-46, 48-65, 67, 72-74, 77, 78, 80, 81, and 84-96 have been amended. Support for the amendments to the claims is found in Applicant's Specification at least from page 8, line 1 to page 9, line 13.

### **B. The Claims Are Not Anticipated By Hennings et al. Pursuant to 35 U.S.C. §102(e)**

In the Office Action, claims 1-10, 20, 35-37, and 41-49 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,778,906 to Hennings et al. (hereinafter "Hennings"). Applicant respectfully disagrees with this rejection.

The standard for "anticipation" is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed. Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Amended claim 1 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft.

Amended claim 35 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft.

The cited art does not appear to teach or suggest the combination of features set forth in the claims including, but not limited to:

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is **not on-board** any of the plurality of aircraft;” or

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is **remotely located** from the plurality of aircraft”.

Hennings appears to teach a guidance and logic system located in the computer on a vehicle such as an aircraft. Hennings’s computer is on-board the aircraft (e.g., an on-board computer). Specifically, Hennings states: “A preferred embodiment of the first aspect of the present invention relates to an apparatus for Active Network Guidance And Emergency Logic (ANGEL). ANGEL is a computer program designed to function preferably in the mission computer on a vehicle, preferably an aircraft (A detailed example of a preferred embodiment of the present invention used by an aircraft is described below.) The program is preferably installed as part of an aircraft’s Operational Flight Program (OFP) card(s) in the mission computer.” (Hennings, column 4, lines 9-15). Applicant’s claim 1, however, refer to the combination of features including, but not limited to, “the computer system is **not on-board** any of the plurality of aircraft” (emphasis added). Applicant’s claim 35 refer to the combination of features including, but not limited to, “the computer system is **remotely located** from the plurality of aircraft” (emphasis added).

In addition, Hennings appears to teach or suggest a computer program that integrates and interacts with the systems on a **single** vehicle. Hennings does not appear to have any teaching relating to “monitoring one or more flight characteristics of the plurality of aircraft with the computer system”, in combination with the other features of the claims. For instance, Hennings states: “The apparatus is a computer based program capable of integrating and interacting with many or all of the subsystems on a vehicle (manned or unmanned) and the subsystems controlling the vehicle in such a way as to prevent accidents and improve emergency responses by notifying of important situations and by automating reactions according to the needs of the particular mission.” (Hennings, column 4, lines 1-8). Hennings further states: “Data regarding the condition and status of the vehicle is gathered, collected, and analyzed by comparing the data values to acceptable limits preferably to determine whether flight conditions are within

normal ranges 120. When the data is acceptable ANGEL continues to gather data and interact with vehicle subsystems via an intelligent agent (IA) 130 described further below.” (Hennings, column 4, lines 55-61). Applicant’s claims 1 and 35, however, refer to the combination of features including, but not limited to, “monitoring one or more flight characteristics of the **plurality of aircraft** with the computer system” (emphasis added).

Applicants submits that the cited art does not appear to teach or suggest all of the features in claims 1 and 35, and the claims dependent thereon.

Applicant submits, in addition, that some of the claims dependent on claims 1 and 35 are separately patentable.

Claim 2 describes combinations of features including: “wherein the alert condition comprises an alert level of at least one of the plurality of aircraft corresponding to a danger level or threat level of the aircraft based on at least one of the flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 2, in combination with the other features of the claim.

Claim 3 describes combinations of features including: “changing the alert condition when at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 3, in combination with the other features of the claim.

Claim 4 describes combinations of features including: “alerting a user of one or more abnormal flight characteristics of at least one of the plurality of aircraft if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 4, in combination with the other features of the claim.

Claim 5 describes combinations of features including: “increasing the alert condition when at least one of the flight characteristics deviates from a predetermined value of at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 5, in combination with the other features of the claim.

Claim 6 describes combinations of features including: “increasing the alert

condition to a selected level when at least one of the flight characteristics deviates from a predetermined value of at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 6, in combination with the other features of the claim.

Claim 7 describes combinations of features including: “wherein the selected level of the alert condition is determined by the predetermined value of the at least one of the normal flight characteristics that has been deviated from.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 7, in combination with the other features of the claim.

Claim 8 describes combinations of features including: “increasing the alert condition to a first selected level when at least one of the flight characteristics deviates from a first predetermined value of at least one of the normal flight characteristics or increasing the alert condition to a second selected level when at least one of the flight characteristics deviates from a second predetermined value of at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 8, in combination with the other features of the claim.

Claim 9 describes combinations of features including: “visually reporting the alert condition of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 9, in combination with the other features of the claim.

Claim 10 describes combinations of features including: “reporting the alert condition of at least one of the plurality of aircraft on a display.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 10, in combination with the other features of the claim.

Claim 20 describes combinations of features including: “modifying one or more of the flight characteristics if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 20, in combination with the other features of the claim.

Claim 36 describes combinations of features including: “defining one or more normal boundary conditions of the alert corresponding to the normal dynamic state of at

least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 36, in combination with the other features of the claim.

Claim 37 describes combinations of features including: “increasing at least one of the boundary conditions of the alert for at least one of the plurality of aircraft if at least one flight characteristic of the dynamic state of the aircraft deviates from a predetermined value of at least one of the normal flight characteristics of the normal dynamic state.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 37, in combination with the other features of the claim.

Claim 41 describes combinations of features including: “reporting a result of the comparison.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 41, in combination with the other features of the claim.

Claim 42 describes combinations of features including: “visually reporting a result of the comparison.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 42, in combination with the other features of the claim.

Claim 43 describes combinations of features including: “visually reporting a modification in at least one of the boundary conditions.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 43, in combination with the other features of the claim.

Claim 44 describes combinations of features including: “changing an alert condition of at least one of the plurality of aircraft if at least one of the flight characteristics of the dynamic state of the aircraft deviates from a predetermined value of at least one of the normal flight characteristics of the normal dynamic state.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 44, in combination with the other features of the claim.

Claim 45 describes combinations of features including: “increasing an alert condition of at least one of the plurality of aircraft if at least one of the flight characteristics of the dynamic state of the aircraft deviates from a predetermined value of at least one of the normal flight characteristics of the normal dynamic state.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 45, in combination with the other features of the claim.

Claim 46 describes combinations of features including: “reporting an alert condition of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 46, in combination with the other features of the claim.

Claim 47 describes combinations of features including: “providing an alarm when at least one of the boundary conditions of the alert is crossed.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 47, in combination with the other features of the claim.

Claim 48 describes combinations of features including: “alerting a user of an abnormal dynamic state if at least one of the flight characteristics of the dynamic state of at least one of the plurality of aircraft deviates from a predetermined value of at least one of the normal flight characteristics of the normal dynamic state.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 48, in combination with the other features of the claim.

Claim 49 describes combinations of features including: “modifying one or more of the flight characteristics if at least one of the flight characteristics of the dynamic state of at least one of the plurality of aircraft deviates from a predetermined value of at least one of the normal flight characteristics of the normal dynamic state.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 49, in combination with the other features of the claim.

**C. The Claims Are Not Obvious Over Hennings In View of Woodell et al. Pursuant To 35 U.S.C. §103(a)**

Claims 11-13, 38, and 74-76 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hennings in view of U.S. Patent No. 6,208,284 to Woodell et al. (hereinafter “Woodell”). Applicant respectfully disagrees with these rejections.

To reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A. 1967). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490

F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03.

Amended claim 1 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft.

Amended claim 35 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft.

Amended claim 64 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the earthbound computer system.

The cited art does not appear to teach or suggest the combination of features set forth in the claims including, but not limited to:

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft;”

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft;” or

“monitoring one or more flight characteristics of the plurality of aircraft with the earthbound computer system”.

For at least the reasons cited above in section B of this document, Hennings does not appear to teach or suggest at least the above-quoted features of the claims 1 and 35. The reasons cited in section B above also apply to the combination of features referred to in Applicant's claim 64 including, but not limited to, “monitoring one or more flight characteristics of the plurality of aircraft with the **earthbound computer system**” (emphasis added).

In addition, Woodell does not teach any of the above-mentioned combinations of features. Woodell appears to teach airborne or on-board computer systems. Specifically, Woodell states: “TCAS is a family of airborne devices that function independently of the

ground based air traffic control system, and provide collision avoidance protection for a broad spectrum of aircraft types.” (Woodell, column 1, lines 11-14). Applicant’s claim 1, however, refer to the combination of features including, but not limited to, “the computer system is **not on-board** any of the plurality of aircraft” (emphasis added). Applicant’s claim 35 refer to the combination of features including, but not limited to, “the computer system is **remotely located** from the plurality of aircraft” (emphasis added). Applicant’s claim 64 refer to the combination of features including, but not limited to, “monitoring one or more flight characteristics of the plurality of aircraft with the **earthbound computer system**” (emphasis added).

Applicants submits that the cited art does not appear to teach or suggest all of the features in claims 1, 35, and 64, and the claims dependent thereon.

Applicant submits, in addition, that some of the claims dependent on claims 1, 35, and 64 are separately patentable.

Claim 11 describes combinations of features including: “defining a proximity alert volume around at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 11, in combination with the other features of the claim.

Claim 12 describes combinations of features including: “providing an alarm if another aircraft enters the proximity alert volume.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 12, in combination with the other features of the claim.

Claim 13 describes combinations of features including: “increasing boundary conditions of the proximity alert volume if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 13, in combination with the other features of the claim.

Claim 38 describes combinations of features including: “wherein the alert comprises a proximity alert.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 38, in combination with the other features of the claim.

Claim 74 describes combinations of features including: “defining a proximity



alert volume around at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 74, in combination with the other features of the claim.

Claim 75 describes combinations of features including: “providing an alarm if another aircraft enters the proximity alert volume.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 75, in combination with the other features of the claim.

Claim 76 describes combinations of features including: “increasing boundary conditions of the proximity alert volume if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 76, in combination with the other features of the claim.

**D. The Claims Are Not Obvious Over Hennings In View of Bird et al. Pursuant To 35 U.S.C. §103(a)**

Claims 14-19, 39, 40, and 77-82 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hennings in view of U.S. Patent No. 6,675,095 to Bird et al. (hereinafter “Bird”). Applicant respectfully disagrees with these rejections.

Amended claim 1 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft.

Amended claim 35 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft.

Amended claim 64 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the earthbound computer system.

The cited art does not appear to teach or suggest the combination of features set forth in the claims including, but not limited to:

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft;”

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft;” or

“monitoring one or more flight characteristics of the plurality of aircraft with the earthbound computer system”.

For at least the reasons cited above in sections B and C of this document, Hennings does not appear to teach or suggest at least the above-quoted features of the claims 1, 35, and 64.

In addition, Bird does not teach any of the above-mentioned combinations of features. Bird appears to teach a device on board an aircraft. Specifically, Bird states: “To address the shortcomings of the available art, the present invention provides a tamper-proof/tamper-resistant apparatus located on board of an aircraft for avoiding a restricted air space (RAS).” (Bird, column 2, lines 26-29). Applicant’s claim 1, however, refer to the combination of features including, but not limited to, “the computer system is **not on-board** any of the plurality of aircraft” (emphasis added). Applicant’s claim 35 refer to the combination of features including, but not limited to, “the computer system is **remotely located** from the plurality of aircraft” (emphasis added). Applicant’s claim 64 refer to the combination of features including, but not limited to, “monitoring one or more flight characteristics of the plurality of aircraft with the **earthbound computer system**” (emphasis added).

Applicants submits that the cited art does not appear to teach or suggest all of the features in claims 1, 35, and 64, and the claims dependent thereon.

Applicant submits, in addition, that some of the claims dependent on claims 1, 35, and 64 are separately patentable.

Claim 14 describes combinations of features including: “defining a boundary of

an area, wherein the area is an area in which at least one of the plurality of aircraft is restricted from traveling.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 14, in combination with the other features of the claim.

Claim 15 describes combinations of features including: “providing an alarm if at least one of the plurality of aircraft crosses the area boundary.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 15, in combination with the other features of the claim.

Claim 16 describes combinations of features including: “increasing boundary conditions of the area boundary if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 16, in combination with the other features of the claim.

Claim 17 describes combinations of features including: “defining an exclusive area for at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 17, in combination with the other features of the claim.

Claim 18 describes combinations of features including: “providing an alarm if at least one of the plurality of aircraft enters the exclusive area.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 18, in combination with the other features of the claim.

Claim 19 describes combinations of features including: “increasing boundary conditions of the exclusive area if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 19, in combination with the other features of the claim.

Claim 39 describes combinations of features including: “wherein the alert comprises a boundary alert.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 39, in combination with the other features of the claim.

Claim 40 describes combinations of features including: “wherein the alert comprises an exclusive area alert.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 40, in combination with the other features of the

claim.

Claim 77 describes combinations of features including: “defining a boundary of an area, wherein the area is an area in which at least one of the plurality of aircraft is restricted from traveling.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 77, in combination with the other features of the claim.

Claim 78 describes combinations of features including: “providing an alarm if at least one of the plurality of aircraft crosses the area boundary.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 78, in combination with the other features of the claim.

Claim 79 describes combinations of features including: “increasing boundary conditions of the area boundary if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 79, in combination with the other features of the claim.

Claim 80 describes combinations of features including: “defining an exclusive area for at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 80, in combination with the other features of the claim.

Claim 81 describes combinations of features including: “providing an alarm if at least one of the plurality of aircraft enters the exclusive area.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 81, in combination with the other features of the claim.

Claim 82 describes combinations of features including: “increasing boundary conditions of the exclusive area if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 82, in combination with the other features of the claim.

**E. The Claims Are Not Obvious Over Hennings Pursuant To 35 U.S.C. §103(a)**

Claims 21-34, 50-73, and 83-96 were rejected under 35 U.S.C. §103(a) as being

unpatentable over Hennings. Applicant respectfully disagrees with these rejections.

Amended claim 1 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft.

Amended claim 35 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft.

Amended claim 64 describes a combination of features including:

monitoring one or more flight characteristics of the plurality of aircraft with the earthbound computer system.

The cited art does not appear to teach or suggest the combination of features set forth in the claims including, but not limited to:

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is not on-board any of the plurality of aircraft;”

“monitoring one or more flight characteristics of the plurality of aircraft with the computer system, wherein the computer system is remotely located from the plurality of aircraft;” or

“monitoring one or more flight characteristics of the plurality of aircraft with the earthbound computer system”.

For at least the reasons cited above in sections B and C of this document, Hennings does not appear to teach or suggest at least the above-quoted features of the claims 1, 35, and 64.

In addition, Applicant agrees with the Examiner’s statement that “there is no mention of modifying one of the flight characteristics based on flight phase of the aircraft” in the cited art. However, Applicant respectfully disagrees with the Examiner’s statement that “it would be obvious that a flight characteristic be modified according to the phase of flight. This is considered an obvious variation on the prior art.” As there is no teaching or suggestion in the cited art to make the modification, Applicant respectfully

traverses the statement of obviousness without some evidence in the cited art or in the knowledge generally available to one of ordinary skill in the art that there is some teaching, suggestion, or motivation for such a modification.

Applicant submits, in addition, that some of the claims dependent on claims 1, 35, and 64 are separately patentable.

Claim 21 describes combinations of features including: “modifying at least one of the normal flight characteristics based on a flight phase of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 21, in combination with the other features of the claim.

Claim 22 describes combinations of features including: “wherein the flight phase comprises a takeoff of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 22, in combination with the other features of the claim.

Claim 23 describes combinations of features including: “wherein the flight phase comprises at least one of the plurality of aircraft enroute.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 23, in combination with the other features of the claim.

Claim 24 describes combinations of features including: “wherein the flight phase comprises an approach of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 24, in combination with the other features of the claim.

Claim 25 describes combinations of features including: “wherein the flight phase comprises a landing of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 25, in combination with the other features of the claim.

Claim 26 describes combinations of features including: “wherein at least one of the flight characteristics comprises a horizontal velocity of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 26, in combination with the other features of the claim.

Claim 27 describes combinations of features including: “wherein at least one of

the flight characteristics comprises a vertical velocity of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 27, in combination with the other features of the claim.

Claim 28 describes combinations of features including: “wherein at least one of the flight characteristics comprises a rate of heading change of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 28, in combination with the other features of the claim.

Claim 29 describes combinations of features including: “wherein at least one of the flight characteristics comprises an altitude of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 29, in combination with the other features of the claim.

Claim 30 describes combinations of features including: “wherein at least one of the flight characteristics comprises a speed change of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 30, in combination with the other features of the claim.

Claim 31 describes combinations of features including: “wherein at least one of the flight characteristics comprises a heading of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 31, in combination with the other features of the claim.

Claim 32 describes combinations of features including: “wherein at least one of the flight characteristics comprises an IFF signal of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 32, in combination with the other features of the claim.

Claim 33 describes combinations of features including: “wherein at least one of the flight characteristics comprises route deviation distance of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 33, in combination with the other features of the claim.

Claim 34 describes combinations of features including: “wherein at least one of the flight characteristics comprises route deviation angle of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 34, in combination with the other features of the claim.

Claim 50 describes combinations of features including: “modifying at least one predetermined value of at least one of the normal flight characteristics of the normal dynamic state based on a flight phase of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 50, in combination with the other features of the claim.

Claim 51 describes combinations of features including: “wherein the flight phase comprises a takeoff of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 51, in combination with the other features of the claim.

Claim 52 describes combinations of features including: “wherein the flight phase comprises at least one of the plurality of aircraft enroute.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 52, in combination with the other features of the claim.

Claim 53 describes combinations of features including: “wherein the flight phase comprises an approach of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 53, in combination with the other features of the claim.

Claim 54 describes combinations of features including: “wherein the flight phase comprises a landing of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 54, in combination with the other features of the claim.

Claim 55 describes combinations of features including: “wherein at least one of the flight characteristics comprises a horizontal velocity of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 55, in combination with the other features of the claim.

Claim 56 describes combinations of features including: “wherein at least one of the flight characteristics comprises a vertical velocity of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 56, in combination with the other features of the claim.

Claim 57 describes combinations of features including: “wherein at least one of the flight characteristics comprises a rate of heading change of at least one of the plurality



of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 57, in combination with the other features of the claim.

Claim 58 describes combinations of features including: “wherein at least one of the flight characteristics comprises an altitude of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 58, in combination with the other features of the claim.

Claim 59 describes combinations of features including: “wherein at least one of the flight characteristics comprises a speed change of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 59, in combination with the other features of the claim.

Claim 60 describes combinations of features including: “wherein at least one of the flight characteristics comprises a heading of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 60, in combination with the other features of the claim.

Claim 61 describes combinations of features including: “wherein at least one of the flight characteristics comprises an IFF signal of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 61, in combination with the other features of the claim.

Claim 62 describes combinations of features including: “wherein at least one of the flight characteristics comprises route deviation distance of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 62, in combination with the other features of the claim.

Claim 63 describes combinations of features including: “wherein at least one of the flight characteristics comprises route deviation angle of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 63, in combination with the other features of the claim.

Claim 65 describes combinations of features including: “wherein the alert condition comprises an alert level for at least one of the plurality of aircraft corresponding to a danger level or threat level for the aircraft based on at least one of the flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 65, in combination with the other features of the claim.

Claim 66 describes combinations of features including: “changing the alert condition when at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 66, in combination with the other features of the claim.

Claim 67 describes combinations of features including: “alerting a user of abnormal flight characteristics of at least one of the plurality of aircraft if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 67, in combination with the other features of the claim.

Claim 68 describes combinations of features including: “increasing the alert condition when at least one of the flight characteristics deviates from a predetermined value of at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 68, in combination with the other features of the claim.

Claim 69 describes combinations of features including: “increasing the alert condition to a selected level when at least one of the flight characteristics deviates from a predetermined value of at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 69, in combination with the other features of the claim.

Claim 70 describes combinations of features including: “wherein the selected level of the alert condition is determined by the predetermined value of the at least one of the normal flight characteristics that has been exceeded.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 70, in combination with the other features of the claim.

Claim 71 describes combinations of features including: “increasing the alert condition to a first selected level when at least one of the flight characteristics deviates from a first predetermined value of at least one of the normal flight characteristics or increasing the alert condition to a second selected level when at least one of the flight characteristics deviates from a second predetermined value of at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the

above-quoted features of claim 71, in combination with the other features of the claim.

Claim 72 describes combinations of features including: “visually reporting the alert condition of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 72, in combination with the other features of the claim.

Claim 73 describes combinations of features including: “reporting the alert condition of at least one of the plurality of aircraft on a display.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 73, in combination with the other features of the claim.

Claim 83 describes combinations of features including: “modifying one or more of the flight characteristics if at least one of the flight characteristics deviates from at least one of the normal flight characteristics.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 83, in combination with the other features of the claim.

Claim 84 describes combinations of features including: “wherein the flight phase comprises a takeoff of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 84, in combination with the other features of the claim.

Claim 85 describes combinations of features including: “wherein the flight phase comprises at least one of the plurality of aircraft enroute.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 85, in combination with the other features of the claim.

Claim 86 describes combinations of features including: “wherein the flight phase comprises an approach of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 86, in combination with the other features of the claim.

Claim 87 describes combinations of features including: “wherein the flight phase comprises a landing of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 87, in combination with the other features of the claim.

Claim 88 describes combinations of features including: “wherein at least one of

the flight characteristics comprises a horizontal velocity of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 88, in combination with the other features of the claim.

Claim 89 describes combinations of features including: “wherein at least one of the flight characteristics comprises a vertical velocity of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 89, in combination with the other features of the claim.

Claim 90 describes combinations of features including: “wherein at least one of the flight characteristics comprises a rate of heading change of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 90, in combination with the other features of the claim.

Claim 91 describes combinations of features including: “wherein at least one of the flight characteristics comprises an altitude of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 91, in combination with the other features of the claim.

Claim 92 describes combinations of features including: “wherein at least one of the flight characteristics comprises a speed change of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 92, in combination with the other features of the claim.

Claim 93 describes combinations of features including: “wherein at least one of the flight characteristics comprises a heading of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 93, in combination with the other features of the claim.

Claim 94 describes combinations of features including: “wherein at least one of the flight characteristics comprises an IFF signal of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 94, in combination with the other features of the claim.

Claim 95 describes combinations of features including: “wherein at least one of the flight characteristics comprises route deviation distance of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 95, in combination with the other features of the claim.

Claim 96 describes combinations of features including: “wherein at least one of the flight characteristics comprises route deviation angle of at least one of the plurality of aircraft.” The cited art does not appear to teach or suggest at least the above-quoted features of claim 96, in combination with the other features of the claim.

**F. Additional Comments**

Applicant respectfully requests a one-month extension of time. If any additional extension of time is necessary, Applicant hereby requests the appropriate extension of time. The fee of \$120.00 for filing the one-month extension of time is being paid concurrently via EFS-Web. If any additional fees are required, please appropriately charge those fees to MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL Deposit Account Number 50-1505/5691-00600/EBM.

Respectfully submitted,

/Gareth M. Sampson/

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